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13 **UNITED STATES DISTRICT COURT**
14 **DISTRICT OF NEVADA**

15 SCOTT RAY ASHER; KIMBERLY ASHER,

16 Plaintiffs,

Case No.: 2:08-cv-00914-RCJ-RJJ

17 vs.

18 OFFICER. R. ORTH, P#6475; OFFICER G.
19 MCGHIE, P#2883 and OFFICER J. DESTITO,
20 P#4056,

21 Defendants.

22 **JUDGMENT UPON JURY VERDICT**

23 This case, having been tried before a jury on February 4, 5, 6, and 7, 2013, and the jury
24 unanimously deciding that Defendants Gordon McGhie, Joseph Destito, and Robert Orth had
25 probable cause to both arrest Scott Asher and search his residence based upon the facts
26 presented, the Court now enters Judgment upon the jury verdict.

27 All of Plaintiffs' claims against all the Defendants in this action have previously been
28 resolved by written order, with the exception of Scott Asher's 42 U.S.C. § 1983 claim alleging
Fourth Amendment violations, as well as the alternative claim for attorney fees under 42 U.S.C.
§ 1988. The Court also specifically held that Plaintiff Kimberly Asher was a party to this case
through the duration of trial for the purpose of potentially recovering damages, depending upon
the measure of damages, if any, awarded by the jury.

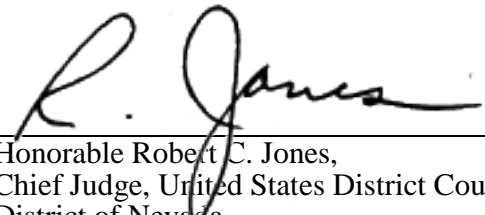
Because the jury has found that Defendants McGhie, Destito, and Orth acted with
probable cause for both the arrest and the search of the Asher's residence, the 42 U.S.C. § 1983

1 claim is dismissed and resolved in favor of Defendants. Since Plaintiffs did not prevail on their
2 42 U.S.C. § 1983 claim, Plaintiff's 42 U.S.C. § 1988 claim is also hereby dismissed.

3 Any claim or request for damages made by Plaintiffs Scott Asher and Kimberly Asher
4 that has not previously been specifically itemized in a written order against any of the parties in
5 this action is hereby dismissed.

6 IT IS SO ORDERED.

7 Dated this 11th day of March, 2013.

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9 
10 Honorable Robert C. Jones,
11 Chief Judge, United States District Court,
District of Nevada

12 Submitted by:

13 MARQUIS AURBACH COFFING

14
15 By: /s/ Micah S. Echols
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